

CHRISTOPHER HALLUM  
President of Council

MICHAEL KLINE  
Vice President of Council

JOANNE E. MONACO  
Clerk of Council

COUNCIL:

NANCY E. FELLOWS

JOE JARMUSZKIEWICZ

DANIEL KNECHT

TANYA TAYLOR DRAPER

DAN ZEGARAC

# City of Willoughby Hills

## Regular Council Meeting

### Minutes of June 25, 2020

*Policy No. 2: All Council meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part of the official records and minutes. Written minutes of Council shall be shortened whenever possible.*

**The hearing on the 2021 Tax Budget was called to order on Thursday, June 25, 2020 at 7:00 p.m. remotely, using Zoom and Facebook Live. Council President Hallum presided. (Audio: 0:21-4:39)**

**Members Present:** Councilwoman Tanya Taylor Draper, Councilman Dan Zegarac, Councilwoman Nancy Fellows, Council President Chris Hallum, Councilman Joe Jarmuszkiwicz., Council Vice President Mike Kline and Councilman Dan Knecht,

**Also Present:** Mayor Andy Gardner, Finance Director Frank Brichacek, Jr., Law Director Michael C. Lucas and City Engineer Pete DiFranco.

**Finance Director Brichacek** stated:

- This is the Public Hearing on the proposed 2021 Tax Budget.
- State law requires that all cities in Ohio adopt a tax budget for the next year no later than July 15, 2020 and submit the adopted tax budget to the Budget Commission no later than July 20, 2020.
- The primary purpose of the tax budget is to demonstrate to the County Budget Commission the City's need for the taxes.
- The post-Tax Budget is prepared in compliance with the format as prescribed by the Lake County Auditor of the State of Ohio.
- The submitted Tax Budget was based upon the current 2020 Budget before any adjustments were made because of the impact of the Coronavirus situation.
- This Tax Budget is anticipating no change in the City's property tax rate.
- We are anticipating a total millage of 7.3 mills; that is anticipating the 2.5 mill road levy is renewed for the next 5 years.
- Depending on actual collection, we may have slightly less property revenue in 2021 than we have in 2020 because County Auditor is anticipating a higher delinquency rate.
- This Public Hearing is required by state law before its adoption. Two copies of the Tax Budget have been available for public inspection at City Hall. Notice of this meeting was advertised in the Lake County News Herald 10 days prior to this meeting. The Tax Budget has been available on the City's website since late May.

**Questions/comments following Finance Director's Report: (Audio: 4:40-6:16)**

**Councilman Jarmuszkiewicz** asked if the Adopted Tax Budget was just an estimated Budget that was put together for the next year? At the beginning of the year it seemed we were putting together a different Budget.

**Finance Director Brichacek** stated that this was a different Budget. Its only purpose is to demonstrate the need to the County Budget Commission; so it is based upon the 2020 Budget. It's simply the first step in the budgetary process so the state can levy its property taxes. After the Budget is filed with the Budget Commission, they would review and determine the property tax rates, which in our case, would be the 7.3 mills. Then in late October/early November, they will send us their projected property tax rates, which Council would have to adopt. Once they are adopted the County will levy them and bill them out in 2022.

**PUBLIC PORTION – PROPERTY TAX BUDGET (Audio: 6:17-6:57)**

Public Portion opened at 7:06 p.m.

Public Portion closed at 7:06 p.m.

**Adjourned hearing on the Tax Budget at 7:06 p.m.**

**The Regular Council Meeting was called to order on Thursday, June 25, 2020 at 7:06 p.m. remotely, using Zoom and Facebook Live. Council President Hallum presided. (Audio: 6:58-8:17)**

**Pledge of Allegiance (Audio: 8:18-8:41)**

**ROLL CALL (Audio: 8:42-9:38)**

**Members Present:** Councilwoman Tanya Taylor Draper, Councilman Dan Zegarac, Councilwoman Nancy Fellows, Council President Chris Hallum, Councilman Joe Jarmuszkiewicz, Council Vice President Mike Kline and Councilman Dan Knecht.

**Also Present:** Mayor Andy Gardner, Finance Director Frank Brichacek, Jr., Law Director Michael C. Lucas and City Engineer Pete DiFranco.

**DISPOSITION OF THE JOURNAL (Audio: 9:39-12:51)**

**Motion made by Councilwoman Taylor Draper** seconded by **Councilman Vice President Kline** to approve the meeting minutes of the Regular Council Meeting of June 11, 2020.

**Discussion:** None.

**Roll Call:**     **AYES:** Taylor Draper, Fellows, Hallum and Jarmuszkiewicz, Kline and Knecht.  
                  **NAYS:** None  
                  **Abstentions:** Zegarac  
                  **Vote:** 6/0/1

**Motion Carries** to approve the meeting minutes of the Regular Council Meeting of June 11, 2020.

**Motion made by Councilwoman Taylor Draper**, seconded by **Councilman Jarmuszkiewicz** to approve the meeting minutes of the Special Council Meeting of June 15, 2020.

**Discussion:** None

**Roll Call:**     **AYES:** Taylor Draper, Fellows, Hallum and Jarmuszkiewicz, Kline and Knecht.  
                  **NAYS:** None  
                  **Abstentions:** Zegarac  
                  **Vote:** 6/0/1

**Motion Carries** to approve the meeting minutes of the Special Council Meeting of June 15, 2020.

**COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS**  
**(Audio: 12:52-13:06)**

- 6/02/20 email from Jim Walsh, re: Resume for open Council Seat.
- 6/03/20 email from Localgov, re: Financial Recovery Program.
- 6/03/20 email from Log On & Learn, re: Webinar Series- Economy.
- 6/03/20 email from Gloria Majeski, re: Ordinance 2020-33 for 2021 Tax Budget.
- 6/03/20 email from OMCA, re: Resolution declaring racism a public health crisis
- 6/04/20 email from Council Clerk, re: 6/11/20 Agenda, Regular Council Meeting/Legislation.
- 6/04/20 email OMCA, re: Charter Information – Candidates for City Commission.
- 6/04/20 email from Lakeland Nonprofit Center, re: Volunteers needed, Produce Pick Up for Seniors.
- 6/04/20 email from Council Clerk, re: Resumes received for open council seat.
- 6/04/20 email from Steven Schupbach, American Transparency, re: Request for Public Records - Finance Dept.
- 6/05/20 email from Frank Brichacek, Finance Director, re: 2021 Tax Budget.
- 6/05/20 email from Chris Hallum, Council President, re: request for all resumes received.
- 6/05/20 email from Ohio Municipal League, re: Update at a Glance.
- 6/05/20 email from LCOPEDA, re: News.
- 6/05/20 email from Localgov, re: Leaders focused on their Citizens.
- 6/05/20 email from Daniel Phillip, re: Resume for Council Position.
- 6/05/20 email from Gloria Majeski, re: Zoom meeting invitation.
- 6/05/20 email from Chris Hallum, re: Zoom meeting invitation – Council of the Whole, Rules & Legislation and Finance.
- 6/05/20 email from Council Clerk, re: 6/11/20 – Amended Agenda – Regular Council Meeting.
- 6/05/20 email from Gloria Majeski, re: Zoom info WHISPER meeting on 6/9/20.

- 6/05/20 email from Amy Frato-Wright, re: Resume for City Council open position.
- 6/05/20 email from Council Clerk, re: mailbox pick-up for Nancy Fellows & Mike Lucas.
- 6/06/20 email from Nancy Fellows, re: Mail Delivery.
- 6/06/20 email from Council Clerk, re: Resumes for Open Council Position.
- 6/08/20 hand-delivered resume from Peter Pike, re: Vacant Council Position.
- 6/08/20 email from Council Clerk, re: Late resume received – Peter Pike.
- 6/08/20 email from Nancy Fellows, re: Draft resolution denouncing racism & bullying.
- 6/09/20 email from Ohio Municipal League, re: Federal Assistance Survey.
- 6/09/20 email from OMCA Website, re: Water Shut Off.
- 6/10/20 email from LogOn&Learn Webinar, re: Conversation: Congressman Joyce, Senator Eklund and Commissioner Cirino.
- 6/10/20 OMCA Website, re: Fiscal Officer job description.
- 6/10/20 email from Ohio Municipal League, re: Bulletin – Responding to Racial Tension.
- 6/10/20 email from Council Clerk, re: Draft- Regular Council Meeting minutes of 5/14/20 & 5/28/20.
- 6/10/20 email from OMCA Website, re: HB 310.
- 6/10/20 email from OMCA Website, re: Civil Service Clerk & City Hall Receptionist.
- 6/10/20 email from OMCA Website, re: Live Streaming Meetings.
- 6/10/20 email from Localgov, re: Webinar, Disaster Relief & Recovery Tools.
- 6/11/20 email from Steven Nelson, re: withdrawing for consideration of Council position.
- 6/11/20 email from Chief Collins, re: Mail for Councilwoman Fellows.
- 6/11/20 email from Nancy Fellows, re: Nextdoor Organization/Website.
- 6/11/20 email from Nancy Fellows, re: Begin the Conversation Group/Organization.
- 6/11/20 email from Nancy Fellows, re: Withdraw J&J account.
- 6/11/20 email from BWC, re: June 2020 Workers' Comp Newsletter.
- 6/11/20 email from OMCA Website, re: Weekly Touch Base Info.
- 6/11/20 email from Gloria Majeski, re: WHISPER Meeting #5 Recording.
- 6/12/20 email from Katherine Lloyd, re: 5/21/20 Agenda for PC-ABR.
- 6/12/20 email from Chief Collins, re: Mail for Councilwoman Fellows.
- 6/12/20 email from Lakeland Nonprofit Center, re: 5 Countries, 1 Mission.
- 6/12/20 email from OMCA Website, re: Solicitation Permits.
- 6/12/20 email from Chief Collins, re: Lake County Sheriff's Smartphone App Released.
- 6/12/20 email from John Bertosa, re: Out of the office.
- 6/12/20 email from Council Clerk, re: Agenda - 6/15/20 - Special Council Meeting.
- 6/12/20 email from Chris Hallum, re: Recording of Council Meeting – 6/11/20.
- 6/12/20 email from Council Clerk, re: Council Meeting Recording – 6/12/20.
- 6/12/20 email from Ohio EPA, re: Ohio EPA's March 31, Order to Public Water Systems in Ohio.
- 6/12/20 email from Gloria Majeski, re: Adopted Legislation from 6/11/20 Council Meeting.
- 6/12/20 email from Council Clerk, re: 6/15/20 Meeting Notification to Councilman Jarmuszkiewicz.
- 6/12/20 email from Gloria Majeski, re: Revised Signed Ordinance 2020-27.
- 6/12/20 email from Ohio Municipal League, re: Update At A Glance.
- 6/12/20 email from Ohio Municipal League Meet/Train, re: 2020 Council Training Webinar-6/24/20 & OML/OMAA Webinar – 6/18/20 Public Records.
- 6/13/20 email from Chris Hallum, re: PCABR meeting 6/18/20 – via ZOOM.
- 6/13/20 email from Katherine Lloyd, re: 6/18/20 Agenda for PC-ABR.
- 6/14/20 email from Chris Hallum, re: Council Meeting Agenda for 6/22/20.
- 6/15/20 email from Katherine Lloyd, re: PCABR Minutes 6/4/20 - Draft.

- 6/15/20 email from OMCA Website, re: Meeting in Person/Wearing Masks.
- 6/15/20 email from Council Clerk, re: Daniel Phillip, Council Position Withdrawn.
- 6/16/20 email from OMCA Website, re: Police Cruiser.
- 6/16/20 email from OMCA Website, re: Mask Survey Results.
- 6/17/20 email from Gloria Majeski, re: Agenda Items for 6/25/20.
- 6/17/20 email from Gloria Majeski, re: New Council Member.
- 6/17/20 email from Council Clerk, re: New Council Training on 6/24/20.
- 6/17/20 email from Luke DuRell, EVOLVE, re: SIS-178: New Council member.

### **PUBLIC PORTION #1 (Audio: 13:07-21:40)**

**An opportunity for the public to address Council concerning anything pertaining to tonight's agenda**

Public Portion opened at 7:13 p.m.

#### **Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094**

- Jenna Bing shared her thoughts, concerns and feeling regarding the WHISPER Program.

#### **Dale Fellows, 2812 Fowler, Drive, Willoughby Hills, OH 44094**

- Mr. Fellows shared his thoughts, concerns and feeling regarding the WHISPER Program.

Public Portion closed at 7:21 p.m.

### **MAYOR'S REPORT (Audio: 21:41-27:47)**

#### **Mayor Gardner reported:**

- Welcomed new Councilman, Dan Zegarac. It's nice to have him here.
- **COVID-19** update: (8) new cases reported in the City this week.
- Continues to urge all residents to please follow all safety guidelines to stop the spread of the COVID-19 Virus in the Community. Observe the guidelines where you can and maintain social distancing.
- If there are people in need in the Community, please reach out safely to those that are in need and let them know you support them.
- Still have a couple positions available for curators for the historic Grange property. We have received three applications to date and would welcome more.
- Received a letter of resignation from Jonathan Irvine, a longtime member of our PC-ABR Board. If anyone is interested in applying for that position the application is on the City's website.
- The City was able to give approximately \$2,000 to VFW Post 4358 received from the marker and flag donation collection. Thanks you to all that donated to the fundraiser. The Post was ecstatic to receive the donation.

- Supports several of the Ordinances on for tonight: renewal of the WHISPER Program, the Road Levy Ordinance and Resolution, the 2020-38, Engineering Fees for Corporate 90 Force Main Replacement Project and 2020-40, the rehire of Police Chief Collins for approximately 6 to 10 months.
- Thanks to everyone who participated in the “To Go Pancake Breakfast”.
- Upcoming City events: Garage Sale Day on 8/1/20 and the final Shred Day on 8/8/20 from 9:00 a.m. to noon at City Hall.

#### **Questions/comments following Mayor’s Report: (Audio: 27:48-29:01)**

**Councilwoman Fellows** stated that at the meeting on Monday, (6/22/20) she inquired about the word “labor” being used in Ordinance 2020-37; and thought that there would be an inquiry about that? **Mayor Gardner** stated there was and that Law Director Lucas will be reporting on that tonight. **Council President Hallum** asked if before they move on to the Law Director’s Report, anyone on Council wanted to respond to anything from the Public Portion questions from either Mr. Fellows or Ms. Bing? **Councilwoman Taylor Draper** stated that she would respond during the Committee Reports.

#### **LAW DIRECTOR’S REPORT (Audio: 29:02- 31:21)**

##### **Law Director Lucas reported:**

- As **Councilwoman Fellows** noted, the word “labor” is in the Ordinance. It is not specifically limited or defined so you give it its plain any ordinary meaning. It would not be improper or an absolute prohibition against using that money for salaries of employees in performance of a road project.
- The levy ballot language is usually very broadly written; not only here in Willoughby Hills but in other communities as well.
- It is permitted based on my conversation with the Mayor and the request I looked at.
- A Public Records request was made by Jenna Bing. The requested documents will be reviewed on Friday at City Hall. After they have been reviewed, those records will be released in compliance with the Public Records Request.

#### **Questions/comments following Law Director’s Report: (Audio: 31:22-31:32)**

There were none.

#### **FINANCE DIRECTOR’S REPORT (Audio: 31:33-33:01)**

##### **Finance Director Brichacek reported:**

- Nothing new to report that hasn’t been discussed. Echoes the Mayor’s comments regarding the adoption of the Tax Budget in July so that it can be filed by 7/15/20.
- Request that Ordinance 2020-37 be passed tonight so that we can get the figures from the County Budget Commission regarding the amount of revenue that the proposed millage would levy and then Resolution 2020-05 can be updated with those figures.



- Good news reported by the Road Superintendent that the salt prices came in lower than budgeted and it may help offset gasoline taxes.

**Questions/comments following City Finance Director's Report: (Audio: 33:03-34:35)**

**Councilwoman Fellows** asked regarding Ordinance 2020-40, the Police Chief's salary, is written as 1/10000 of a dollar and why wasn't the figure rounded up?

**Finance Director Brichacek** stated that he did not prepare that Ordinance. **Councilwoman Fellows** stated to whom does she ask to question of? **Finance Director Brichacek** stated that he would defer that to the Mayor. **Mayor Gardner** stated that he wasn't sure; it might just be a typo. He would certainly accept an amendment to rounding it to \$0.73. **Councilwoman Fellows** stated: Or to \$8,035.00? **Mayor Gardner** stated: and \$0.73. **Councilwoman Fellows** stated that she would make an amendment at the motion.

**CITY ENGINEER'S REPORT (Audio: 34:36-36:37)**

**City Engineer DiFranco** reported:

- Regarding Ordinance 2020-38, replacement for the Corporate 90 Sanitary Force Main Replacement which serves the auto dealership and the Cleveland Clinic on Route 91: It pumps sewage down to Chardon Road.
- At least 2/3 of the force main is corroded and needs to be replaced. It was originally installed in 1987. It is one of 12 force mains that the City has but it is the only one that is made of steel. The other mains are either newer than 2000 or are made of un-corroded material.
- It is located on the east side of SOM Center Road (St. Rt. 91) mostly along the side of the Metro Parks Golf Course.
- We have allowed for Three Readings for Ordinance 2020-38.

**Questions/comments following City Engineer's Report: (Audio: 36:38-36:47)**

There were none.

**COMMITTEE REPORTS (Audio: 36:48-37:50)**

**Council Vice President Kline** reported on the **Finance Committee**:

- Finance Meeting was held on Monday, June 18, 2020, the purpose was to discuss the proposals of the office equipment contracts.
- A question that came up whether there was any additional leased equipment in the City that was not covered under the existing leases and/or included in the proposals? There is none.

**Questions/comments following Finance Committee Report: (Audio: 37:51-37:57)**

There were none.

## **COMMITTEE REPORTS (continued) (Audio: 37:58- 41:16)**

### **PC-ABR:**

**Councilwoman Taylor Draper** reported on the **Architectural Board of Review & Planning and Zoning:**

- Convened on June 18, 2020, the Planning Commission accepted the resignation of Jonathan Irvine.
- Mr. Irvine was awesome; he did a lot of good for the City of Willoughby Hills. We are sorry to see him go.
- ABR approved the new “Marcs” sign on Chardon Road.
- ABR approved the following: an accessory structure at 2857 Hayes Drive, a new single family home at 28885 Chardon Road, a new shed at 2613 River Road and an attached garage at 2904 Cricket Lane.
- There was no business for the Planning Commission.

### **WHISPER Sub-COMMITTEE:**

**Councilwoman Taylor Draper** reported on the **Whisper Subcommittee:**

- Sad to hear Dale Fellows’ comments about the Whisper Program, she is proud of the subcommittee.
- A lot of time and effort was put into trying to develop a system to help our most vulnerable, our Seniors.
- No one is perfect and things can be improved; people can offer positive suggestions to help Seniors.
- In the past two weeks, received so many emails and offers to volunteer for WHISPER.
- Back in the Fall, this was not a campaign promise, we want to help our residents.
- We are on this Council to help our citizens here.
- Positive reinforcement and/or suggestions are appreciated and not negativity.
- Encouraged Council to adopt Ordinance 2020-26-Amended tonight.

### **Questions/comments following Committee Reports: (Audio: 41:17-41:25)**

There were none.

## **COMMITTEE REPORTS (continued): (Audio: 41:26-43:10)**

**Council President Hallum** reported on the **Working Committee of Council/Rules & Legislation:**

- Working Committee of Council and Rules & Legislation met on Monday, June 22, 2020 at 6:00 p.m.
- We discussed the WHISPER Ordinance, the 2021 Tax Budget and the Road Levy.
- The COM DOC/Ameritech copier contract was discussed regarding the financial savings for the City.
- The new Ordinances were reviewed and discussed.
- The Engineering fees for the Corp 90 Force Main were discussed.
- The meeting on 6/22/20 was recorded and is on the City’s Website.

### **Questions/comments following the Working Committee/Rules & Legislation: (Audio: 43:11-43:16)**

There were none.



### **COMMITTEE REPORTS (continued): (Audio: 43:17-44:25)**

#### **Councilman Jarmuszkiewicz reported on the Recreation Commission:**

- Sub-committee meeting was held on Monday, June 18, 2020 regarding available grants for the beautification purposes within the City.
- Ms. Pat Grebenc made a nice presentation of several of the grants that could be available for next year.
- These available grants will be presented to the Recreation Commission at the next meeting to see which ones they are interested in. Particularly, the Pickleball Court which has been discussed for several years.
- There's a NOPEC Grant that will cover most of the cost for the Pickleball Court.
- Will leave it up to the Recreation Commission to decide which ones they would like to pursue and get for next year.

#### **Questions/comments following Recreation Commission report: (Audio: 44:26-44:27)**

There were none.

### **UNFINISHED BUSINESS (Audio: 44:28-47:47)**

**Councilwoman Fellows** stated: It has been several weeks since introducing the Resolution Denouncing Racism and Bullying and supporting the "Lake County Begin The Conversation" and the NAACP's efforts as well. She understands that Councilwoman Taylor Draper is opposed to the word "bullying" in the caption, so if the word "bullying" were removed, would it appease her? If so, she would make a motion to add the resolution to the July 9, 2020 Regular Council Meeting.

**Councilwoman Taylor Draper** stated: Did not know if the word "appease" was appropriate. To link the two "Racism and Bullying" is not appropriate, especially because of what is currently happening in our Nation. Agrees that "Bullying" is a serious issue; but thinks the two should stand alone. She is in favor of a "Racism" Resolution.

**Council President Hallum** stated: Agreed with Councilwoman Taylor Draper. There are other issues with the proposed draft; Council will be reviewing the draft as mentioned at Council of the Whole meeting that was held on Monday, June 22, 2020. Council will come up with something that will be more agreeable, review it at the next Council of the Whole Meeting and we can decide at that time.

**Councilwoman Fellows** stated: Any member of Council, including the Mayor, has the privilege to bring forth an ordinance or resolution to Council. Feels that she has been thwarted with the efforts that she has made. Feels the Resolution should come forth as a First Reading. They could have Three Readings or more and then amend it. To re-write something that she purposed and not to have it shown is unfair.

**Council President Hallum** stated: Councilwoman Fellows should put it on as a motion and Council can vote on it.

**Motion made by Councilwoman Fellows** to add the proposed Resolution: Denouncing Racism, on the July 9, 2020 Regular Council Meeting.

**Discussion:** **Councilman Jarmuszkiewicz** stated: As Amended? **Councilwoman Fellows** stated that there was no amending yet. **Councilwoman Taylor Draper** stated that she could not support the Resolution in its current draft because it mentions “Bullying”. **Councilwoman Fellows** stated that she would take that out and Councilwoman Taylor Draper agreed. **Council President Hallum** stated that there was not a “second” and they could not discuss the proposed Resolution further.

**Motion Fails to add the proposed Resolution Denouncing Racism because a lack of a second.**

### **LEGISLATION** (Audio: 47:48-1:12:06)

#### **ORDINANCE 2020-26 – AS AMENDED** (Audio: 47:49-52:25)

AN ORDINANCE RESCINDING ORDINANCE 2018-11 IN ORDER TO ABOLISH THE SUSPENSION OF THE WILLOUGHBY HILLS ISOLATED SENIOR PROGRAM FOR EVERYDAY RELIEF (W.H.I.S.P.E.R.) TO ASSIST THE SENIOR CITIZENS OF THE CITY OF WILLOUGHBY HILLS, AND RE-ESTABLISHING THE W.H.I.S.P.E.R. PROGRAM; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Taylor Draper**, seconded by **Councilman Jarmuszkiewicz** to adopt **Ordinance 2020-26 as Amended.**

**Discussion:** **Councilman Vice President Kline** stated that during last year’s campaign, he was asked what needed to be done to re-open the WHISPER Program? After all the investigations that were based on unfounded and unsubstantiated claims and to avoid future politicizing, the sub-committee made changes to the Program. He is proud to serve on the WHISPER sub-committee; Councilwoman Taylor Draper did an outstanding job as chairwoman of the sub-committee and he supports this Ordinance.

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Abstention:** Fellows

**Vote:** 6/0/1

**Motion Carries to adopt Ordinance 2020-26 as Amended.**

#### **ORDINANCE 2020-33 – SECOND READING** (Audio: 52:26-53:45)

AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2021 FOR THE CITY OF WILLOUGHBY HILLS.

**Council President Hallum** stated that this Ordinance will remain on Second Reading.

**ORDINANCE 2020-35 – FIRST READING** (Audio: 53:46-57:21)

AN ORDINANCE TO DECLARE A CITY VEHICLE AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE ON THE OPEN MARKET UPON SUCH TERMS AND AT SUCH PRICE AS IS DEEMED MOST ADVANTAGEOUS TO THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

**Motion made by Councilman Jarmuszkiewicz**, seconded by **Councilwoman Taylor Draper** to waive the Three Readings on **Ordinance 2020-35**.

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.  
**NAYS:** None

**Vote:** 7/0

**Motion Carries to waive the Three Readings on Ordinance 2020-35 Surplus Vehicles.**

**Motion made by Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt **Ordinance 2020-35**.

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.  
**NAYS:** None

**Vote:** 7/0

**Motion Carries to adopt Ordinance 2020-35 Surplus Vehicles.**

**ORDINANCE 2020-36 – FIRST READING** (Audio: 57:22-59:39)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CEI LED STREETLIGHT AGREEMENT WITH CLEVELAND ILLUMINATING COMPANY FOR LED STREETLIGHT REPLACEMENT IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Fellows**, seconded by **Councilwoman Taylor Draper** to waive the Three Reading on **Ordinance 2020-36**.

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.  
**NAYS:** None

**Vote:** 7/0

**Motion Carries to waive the Three Readings on Ordinance 2020-36 CEI LED Replacement.**

**Motion made by Councilwoman Fellows, seconded by Councilman Jarmuszkiewicz to adopt Ordinance 2020-36.**

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion Carries to adopt Ordinance 2020-36 CEI LED Replacement.**

**ORDINANCE 2020-37 – FIRST READING** (Audio: 59:40-1:00:38)

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WILLOUGHBY HILLS A RENEWAL OF AN EXISTING 2.5 MILL LEVY IN EXCESS OF THE TEN (10) MILL LIMITATION AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 FOR THE CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS, BRIDGES AND THE REPLACEMENT AND REPAIR OF NECESSARY ROAD EQUIPMENT & MACHINERY INCLUDING BUT NOT LIMITED TO MATERIALS, LABOR & FACILITIES IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

**Council President Hallum stated that this Ordinance will remain on First Reading.**

**ORDINANCE 2020-38 – FIRST READING** (Audio: 1:00:39-1:02:58)

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE CORPORATE 90 FORCE MAIN REPLACEMENT PROJECT IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Fellows, seconded by Councilman Zegarac to waive the Three Reading on Ordinance 2020-38.**

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion Carries to waive the Three Readings on Ordinance 2020-38 Engineering Fees Corp. 90 Force Main.**

**Motion made by Councilwoman Fellows, seconded by Councilman Zegarac to adopt Ordinance 2020-38.**

**Discussion:** None

**Roll Call:** AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

NAYS: None

**Vote:** 7/0

**Motion Carries to adopt Ordinance 2020-38 Engineering Fees Corp. 90 Force Main.**

**ORDINANCE 2020-39 – FIRST READING** (Audio: 1:02:59-1:03:59)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A DOCUMENT MANAGEMENT AGREEMENT WITH COM DOC FOR THE LEASE OF FIVE (5) NEW XEROX COPYING DEVICES AND MANAGED PRINT SERVICE FOR THE CITY OF WILLOUGHBY HILLS, RESCINDING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

**Council President Hallum stated that this Ordinance will remain on First Reading.**

**ORDINANCE 2020-40 – FIRST READING** (Audio: 1:04:00-1:08:10)

AN ORDINANCE PROVIDING FOR THE REAPPOINTMENT OF CHRISTOPHER J. COLLINS AS POLICE CHIEF OF THE CITY OF WILLOUGHBY HILLS POLICE DEPARTMENT, ESTABLISHING HIS TERMS OF EMPLOYMENT, INCLUDING RATE OF PAY, AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Fellows, seconded by Councilman Knecht to amend Ordinance 2020-40, to state that the amount be rounded off to reflect \$8,035.00 per month.**

**Discussion:** Councilwoman Taylor Draper asked how does that would affect the actual Ordinance?

**Council President Hallum** stated that it doesn't really. **Councilwoman Taylor Draper** stated we just needed to correct that? **Councilwoman Fellows** stated that it was written in 1/1000<sup>th</sup> of a dollar so instead of .7335, I just rounded it up to \$8,035.00 even. **Councilman Jarmuszkiewicz** stated it was probably an auto correct by whoever was typing it.

**Roll Call:** AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

NAYS: None

**Vote:** 7/0

**Motion carries to amend the dollar amount on Ordinance 2020-40 to \$8,035.00.**

**RESOLUTION 2020-05 – FIRST READING (Audio: 1:08:11-1:12:06)**

A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WILLOUGHBY HILLS A RENEWAL OF AN EXISTING LEVY IN EXCESS OF THE TEN (10) MILL LIMITATION AT THE GENERAL ELECTION TO BE HELD NOVEMBER 3, 2020 FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, REPAIR OF STREETS, ROADS, BRIDGES, THE REPLACEMENT AND REPAIR OF NECESSARY ROAD EQUIPMENT AND MACHINERY INCLUDING BUT NOT LIMITED TO MATERIALS, LABOR AND FACILITIES IN THE CITY; AND REQUESTING THE LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE RENEWAL LEVY AND DECLARING AN EMERGENCY.

**Motion made by Councilman Jarmuszkiewicz**, seconded by **Councilman Zegarac** to waive the Three Readings on **Resolution 2020-05**.

**Discussion:** **Councilwoman Taylor Draper** asked if it was a renewal, not a new levy? **Council President Hallum stated:** That is correct, it is a renewal only.

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion Carries to waive the Three Readings on Resolution 2020-05. Road Levy.**

**Motion made by Councilman Jarmuszkiewicz**, seconded by **Councilwoman Taylor Draper** to adopt **Resolution 2020-05**.

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion Carries to adopt Resolution 2020-05-Road Levy.**



**NEW BUSINESS (Audio: 1:12:07-1:17:39)**

**Mayor Gardner stated:**

- As discussed during his report, he is requesting the appointment and rehire Chief Collins for a period of 6 to 10 months.
- Apologized for not getting the Ordinance to Council sooner, had to confer with Finance Director Brichacek & Law Director Lucas regarding Chief Collins' salary.
- Requested approval of Ordinance 2020-40 for the reappointment of Chief Collins.
- Motioned to declare old computers as surplus; replaced in January, valued at less than \$1,000.00, and the hard drives were removed. The computers would then be placed on GovDeals.com.
- Motioned to go out for bid for General Liability Insurance for the City of Willoughby Hills.

**Discussion:**

**President Hallum stated:** Your request is to confirm your choice of Chief Collins and pass Ordinance 2020-40 this evening? **Mayor Gardner stated:** Yes.

**Motion** was made by **Council Vice President Kline**, seconded by **Councilwoman Taylor Draper**, to go into **Executive Session** for purposes of discussing personnel related matters with Council, Mayor Gardner, Law Director Lucas and thereafter Chief Chris Collins. City Engineer DiFranco and Finance Director Brichacek were excused.

**Roll Call: AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion approved to go into Executive Session.**

**To Executive Session at 8:17 p.m.**

**EXECUTIVE SESSION**

**DISCUSS PERSONNEL RELATED MATTER**

**(Audio: 1:17:40-2:02:54)**

**Reconvened from Executive Session at 9:02 p.m.**

**NEW BUSINESS (continued)**

**(Audio: 2:02:55 -2:11:31)**

**Motion made by Councilwoman Fellows, seconded by Councilman Jarmuszkiewicz to approve the rehire of Chief Collins for a period of 6 to 10 months as requested by Mayor Gardner.**

**Discussion: None**

**Roll Call: AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to approve the rehiring of Police Chief Collins.**

**Motion made by Councilwoman Fellows to go back to Legislation regarding Ordinance 2020-40 as Amended.**

**ORDINANCE 2020-40-AMENDED (Audio: 2:04:47-2:08:29)**

AN ORDINANCE PROVIDING FOR THE REAPPOINTMENT OF CHRISTOPHER J. COLLINS AS POLICE CHIEF OF THE CITY OF WILLOUGHBY HILLS POLICE DEPARTMENT, ESTABLISHING HIS TERMS OF EMPLOYMENT, INCLUDING RATE OF PAY, AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Fellows, seconded by Councilman Zegarac to waive the Three Readings on Ordinance 2020-40 as Amended.**

**Discussion: None**

**Roll Call: AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to waive the Three Readings on Ordinance 2020-40 as Amended.**

**Motion made by Councilwoman Fellows, seconded by Councilwoman Taylor Draper to adopt Ordinance 2020-40 as Amended.**

**Discussion: None**

**Roll Call: AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to adopt Ordinance 2020-40 as Amended to rehire Police Chief Collins.**

**Motion made by Councilwoman Fellows**, seconded by **Councilman Jarmuszkiewicz** to declare old computers replaced in January as surplus, the value being less than \$1,000.00 and placing them on auction on Gov.Deals.com. as requested by Mayor Gardner.

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion Carries to declare old computers as surplus and placed on auction.**

**Motion made by Councilwoman Fellows**, seconded by **Councilman Zegarac** for the City of Willoughby Hills to go out for bid for General Liability Insurance as requested by Mayor Gardner.

**Discussion:** None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

**Vote:** 7/0

**Motion Carries for City of Willoughby Hills to go out bid for General Liability Insurance.**

**Discussion:** None

**Councilwoman Taylor Draper stated:** would like to discuss developing a virtual plan to have district meetings as a body. **Council President Hallum stated:** Yes, we can discuss and plan for that; we are open to any thoughts or recommendations.

#### **PUBLIC PORTION #2 (Audio: 2:11:32-2:22:18)**

**An opportunity for the public to address Council with any comments, issues, or concerns.**

**Public Portion opened at 9:11 p.m.**

**Dale Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094**

- Mr. Fellows responded to Councilwoman Taylor Draper's comments regarding issues he had with the WHISPER Program and its booklet.

- Mr. Fellows stated that his opinions and concerns are based on many years of observations, especially with government.
- Mr. Fellows apologized if he came across as negative; but he is a stickler for detail and accuracy especially with government documents.
- Mr. Fellows stated that the proposed Bullying Resolution was reviewed by three prominent leaders and members of “Begin The Conversation Group”. They thought it was excellently written and did not have any issues with the word “bullying” in it.

**Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44094**

- Thanked Mayor Gardner for the Senior Citizen of the Week Basket she received.
- Thought it was a good idea for Senior Citizens.
- Suggested to Mayor Gardner that names of all deceased residents should be mentioned and not just some of them.
- To all Council members, when being criticized you need to be aware of how you take things; everyone is entitled to their opinion.

**Vicky Miller, 2857 Hayes Drive, Willoughby Hills, OH 44094**

- Thanked Council for passing the WHISPER Program; served on the Committee.
- In response to Dale Fellows’ comment: the booklet is not a finished document, it is ongoing. It will be reviewed annually. The Committee is open to suggestions.
- Appreciates the work that has been put into it. Those residents that have concerns should come forward and share them. The next meeting is scheduled for Monday, June 29, 2020.

**Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094**

- Supports what Linda Fulton stated.
- Public Portion is for residents to come forward with issues and concerns that they have.
- Feels that some Council members are intimidating and berating to people who come forward.
- Feels that intimidating people is a form of bullying.
- The last two times she interviewed with Council, she felt berated.
- Council could be more positive with their interaction with residents.

**Public Portion closed at 9:22 p.m.**

**Questions/comments following Public Portion #2 (Audio: 2:22:19-2:27:14)**

**Council President Hallum commented:**

- He has been on Council for several years and has seen past Council members who have berated residents and have been condescending and intimidating to them.
- He understands the emotion behind Councilwoman Taylor Draper’s passion. She was personally attacked by the negativity.
- We all need to be understanding; he supports being kind and understanding.

- Sometimes people are passionate; there is nothing wrong with being passionate. You would want someone to represent you on Council who is passionate.

**Mayor Gardner commented:**

- Thanked Mrs. Fulton, but compliments go to Gloria Majeski who has taken the lead on Senior of the Day Program with her idea.
- It has brightened the spirits of many Seniors during this pandemic.
- We have received many “thank you” cards from Seniors.
- Appreciates the people who have donated funds to support this cause.
- Encourages people to nominate residents for the “Senior of the Day”.
- Regarding condolences for families of deceased residents, when he is aware, he mentions it.
- Please contact the Mayor’s Office regarding condolences for families of deceased residents you would like mentioned.

**Councilwoman Taylor Draper commented:**

- She is passionate about the WHISPER Program.
- Believes the WHISPER Program got a “raw deal”.
- She is passionate about helping Seniors who did not get help because of the things that went on the last few years.
- We need to move forward, and people are welcome to say whatever they want to say.

**FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY**

**(Audio: 2:27:15-2:31:06)**

**Councilwoman Taylor Draper commented:**

- Councilwoman Taylor Draper read a statement thanking the following people who helped, contributed, and/or assisted with the WHISPER Program.

Tom, Joanne, Gloria Majeski

Former Councilwoman Janet Majka

Councilmembers: Fellows, Kline, Hallum, Jarmuszkiewicz, Knecht

Mayor Gardner, Law Director Lucas & Asst. Law Director Lobe

Residents: Vicki Miller, Ed McKenna Frank & Mary Cihula, Jenna Bing, Dale Fellows, Dan Zegarac and all the residents who called, e-mailed, and texted.

**Councilman Vice President Kline commented:**

- The County Engineer’s Department is making good progress in removing the debris under the Dodd Road Bridge. It should be done in the next few days.

**Councilwoman Fellows** commented:

- Since the next Council Meeting is July 9, 2020, wanted to wish everyone in the Community and beyond a safe and healthy 4<sup>th</sup> of July.
- Please take a moment to reflect on the meaning of that day and the sacrifices that individuals made long ago for us to have the freedoms that we have today.

**Council President Hallum** commented:

- Enjoy your 4<sup>th</sup> of July with your families & friends and please keep safe.

**Mayor Gardner** commented:

- Agreed with what **Councilwoman Fellows** stated.
- Most local Communities have cancelled their fireworks so please resist the temptation and be safe.

**ADJOURNMENT** (Audio: 2:31:07– 2:32:50)

**Motion** was made by **Councilwoman Taylor Draper** to adjourn seconded by to **Councilman Zegarac**.

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None


**Vote:** 7/0

**Motion carries to adjourn the meeting of June 25, 2020.**

**The Regular Council Meeting of June 25, 2020, was adjourned 9:31 p.m.**

**APPROVED:**

September 10, 2020  
Date

  
\_\_\_\_\_  
**Christopher Hallum**  
*President of Council*

**ATTEST:**

Jaime Monaco  
\_\_\_\_\_  
**Council Clerk**